

DOCUMENT

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DOC #:

DATE FILED: 1/31/08

JUDGE BUCHWALD

08 CV 1032

Rolling Transport Ltd.,

Plaintiff,

v.

Palmyra Shipping and Chartering Ltd,

Defendant.

EX PARTE ORDER FOR PROCESS OF MARITIME ATTACHMENT

WHEREAS, on January 31, 2008, Plaintiff Rolling Transport Ltd. ("Rolling") filed a Verified Complaint herein for damages amounting to \$194,465, inclusive of interest, costs and attorneys' fees, requesting the issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules and Civil Procedure ("Supplemental Rule B"); and

WHEREAS, the Process of Maritime Attachment and Garnishment would command that the United States Marshal or other designated process server attach any and all of the Defendant's property within the district of this Court; and

WHEREAS, the Court has reviewed the Verified Complaint and supporting affidavit, and the conditions of Supplemental Rule B appearing to exist, it is hereby

ORDERED, that Process of Maritime Attachment and Garnishment shall issue against all tangible property belonging to, claimed by or being held for the Defendant by *any* garnishees within this district upon whom a copy of this Order may be served, including but not limited to, BNP Paribas, HSBC Bank USA, NA, JP Morgan Chase Bank, Citibank, HSBC, The Bank of

New York, ABN Amro Bank, Bank of America, Standard Chartered Bank, Wachovia Bank, Deutsche Bank, and Chase Manhattan Bank in an amount up to and including \$194,465, pursuant to Supplemental Rule B; and it is further

ORDERED, that any person claiming an interest in the property attached pursuant to said order shall, upon application to the Court, be entitled to a prompt hearing at which the Plaintiff shall be required to show cause why the attachment and garnishment should not be vacated or other relief granted; and it is further

ORDERED, that supplemental process enforcing the Court's Order may be issued by the Clerk upon application without further Order of the Court; and it is further

ORDERED, that following initial service by the United States Marshal or other designated process server upon each garnishee, that supplemental service of the Process of Maritime Attachment and Garnishment, as well as this Order, may be made by way of facsimile transmission to each garnishee; and it is further;

ORDERED, that following initial service by the United States Marshal or other designated process server upon each garnishee, that supplemental service of the Process of Maritime Attachment and Garnishment, as well as this Order, may be made by way of e-mail to any garnishee that informs plaintiff that it consents to such service; and it is further;

ORDERED, that a copy of this Order be attached to and served with said Process of Maritime Attachment and Garnishment.

Dated: January ¹⁷/₂, 2008

SO ORDERED:



U.S.D.J.